



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

January 14, 2020

Regulatory Division
North Branch
Jacksonville Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2019-03556 (SP-DSD)

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: New Leaf Communities, LLC
Attention: John Latshaw
4348 Southpoint Boulevard, Suite 210
Jacksonville, Florida 32216

WATERWAY AND LOCATION: The project would affect waters of the United States, including wetlands, associated with Ortega River. The project site is located at 9055 Taylor Field Road, in Section 28, Township 3 South, Range 25 East, Duval County, Florida (Parcel 016212-0000).

APPROXIMATE CENTRAL COORDINATES: Latitude 30.211786°
Longitude -81.804912°

PROJECT PURPOSE:

Basic: The basic project purpose is residential development.

Overall: The overall project purpose is to construct a residential development within the West Side of Jacksonville.

EXISTING CONDITIONS: The project site consists of 19.70 acres of property, of which, 3.61 acres is freshwater wetlands. The onsite uplands throughout a majority of the property is mostly improved pastureland vegetated by a sparse canopy of slash pine (*Pinus elliottii*), live oak (*Quercus virginiana*), and laurel oak (*Q. laurifolia*). The ground cover consists of typical pasture species including carpet grass (*Axonopus fissifolius*) and bahia grass (*Paspalum notatum*). The wetland community on site is wetland forested mixed dominated by slash pine, cypress (*Taxodium spp.*), Chinese tallow

(*Triadica sebifera*), and red maple (*Acer rubrum*). The understory is sparse due to grazing and mainly consists of Virginia chainfern (*Woodwardia virginica*). The existing area surrounding the project site consists of low density residential and a wetland forested mixed system.

PROPOSED WORK: The applicant seeks authorization to discharge clean fill into 2.23 acres of waters of the United States, including wetlands, and to convert 0.58 acres of forested wetlands to a stormwater pond.

AVOIDANCE AND MINIMIZATION INFORMATION – The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: “Wetland fill impacts are proposed to be +/-2.23 acres and will occur to the wetland forested mixed community. Considering the wetlands location, hydrology, and wildlife function, it is our opinion the value and function the on-site wetlands provide to the surrounding area should be considered slightly below average at best. The vast majority of the proposed fill impacts (+/-1.93 acres) will result from road and lot development. The remaining wetland fill impacts (+/-0.30 acre) will be associated with a stormwater management system. During the initial planning phases of the project, the project started out with 68 residential lots and would have resulted in wetland impacts that would have been more expansive at about 3.03 acres. The lot count was then reduced to 60 lots with wetland impact totaling about 2.23 acres. Through avoidance and minimization exercises, 8 lots were removed, and the wetland impacts were reduced by 0.8 acres. Due to the narrow margin now associated with this project due to the lot reduction, the loss of even one more lot would render the project unfeasible.”

COMPENSATORY MITIGATION – The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: “The loss of wetland functions associated with eliminating the wetlands is 1.18 functional loss units. As mitigation for the proposed wetland impacts, the Applicant will purchase 1.18 credits from Greens Creek Mitigation Bank”.

CULTURAL RESOURCES:

The Corps is not aware of any known historic properties within the permit area. By copy of this public notice, the Corps is providing information for review. Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer and those federally recognized tribes with concerns in Florida and the Permit Area.

ENDANGERED SPECIES:

On October 1, 2019, the Corps executed a *Resources at Risk* (RAR) report. The RAR did not indicate that the site is utilized by, or contains habitat critical to, any federally listed threatened or endangered species, other than those listed above. The Corps also reviewed geospatial data and other available information. The Corps has not received

or discovered any information that the project site is utilized by, or contains habitat critical to, any federally listed threatened or endangered species.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The jurisdictional line has been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the North Permits Section, Jacksonville District Corps of Engineers Post Office Box 4970 Jacksonville Florida, 32232 within 30 days from the date of this notice.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

QUESTIONS concerning this application should be directed to the project manager, Danielle D'Amato, in writing at the Jacksonville Permits Section, Jacksonville District Corps of Engineers Post Office Box 4970 Jacksonville Florida, 32232 within 30 days from the date of this notice. by electronic mail at Danielle.S.D'Aamto@usace.army.mil; or, by telephone at (904)-232-2166.

IMPACT ON NATURAL RESOURCES: Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

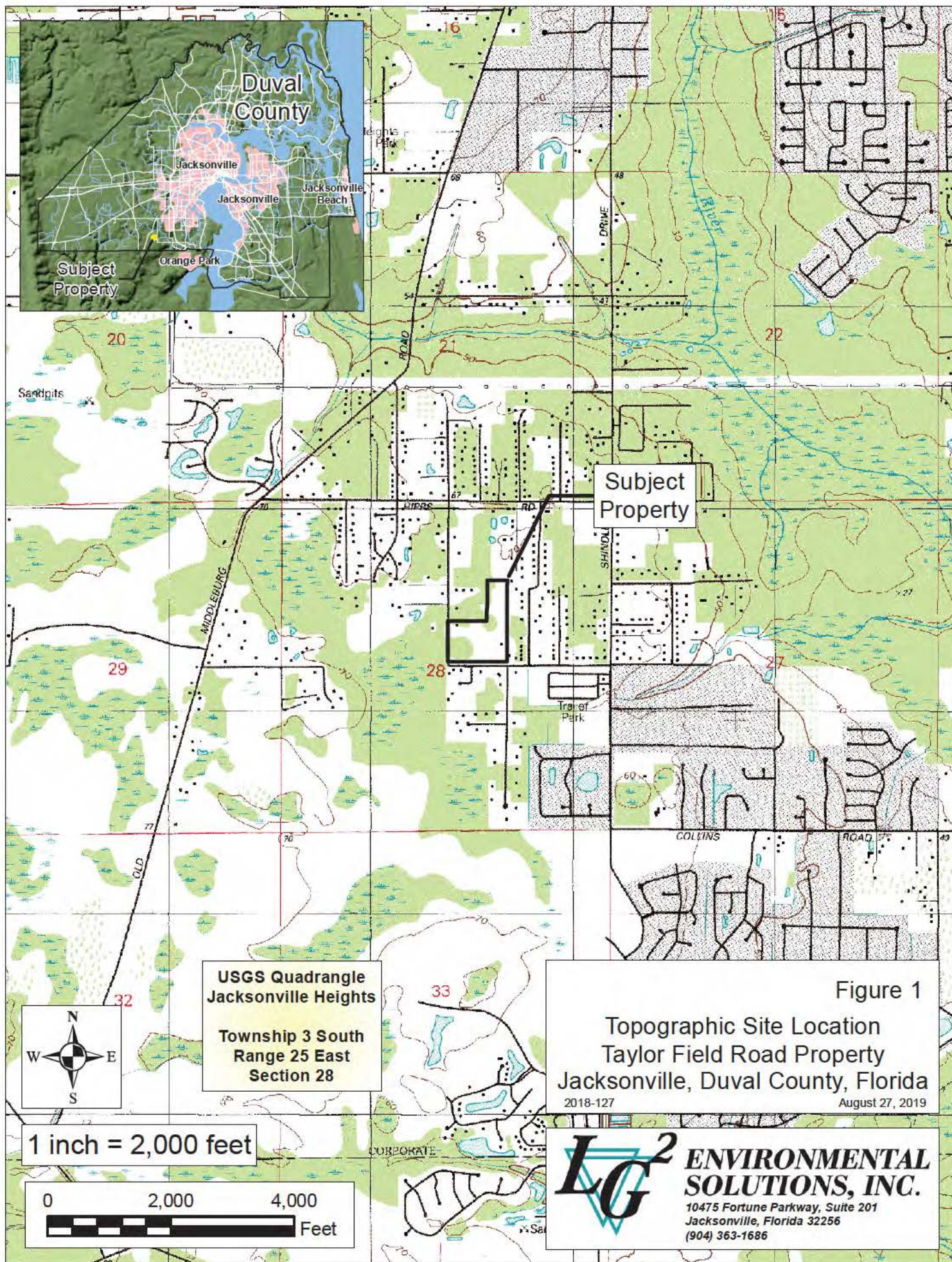
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in

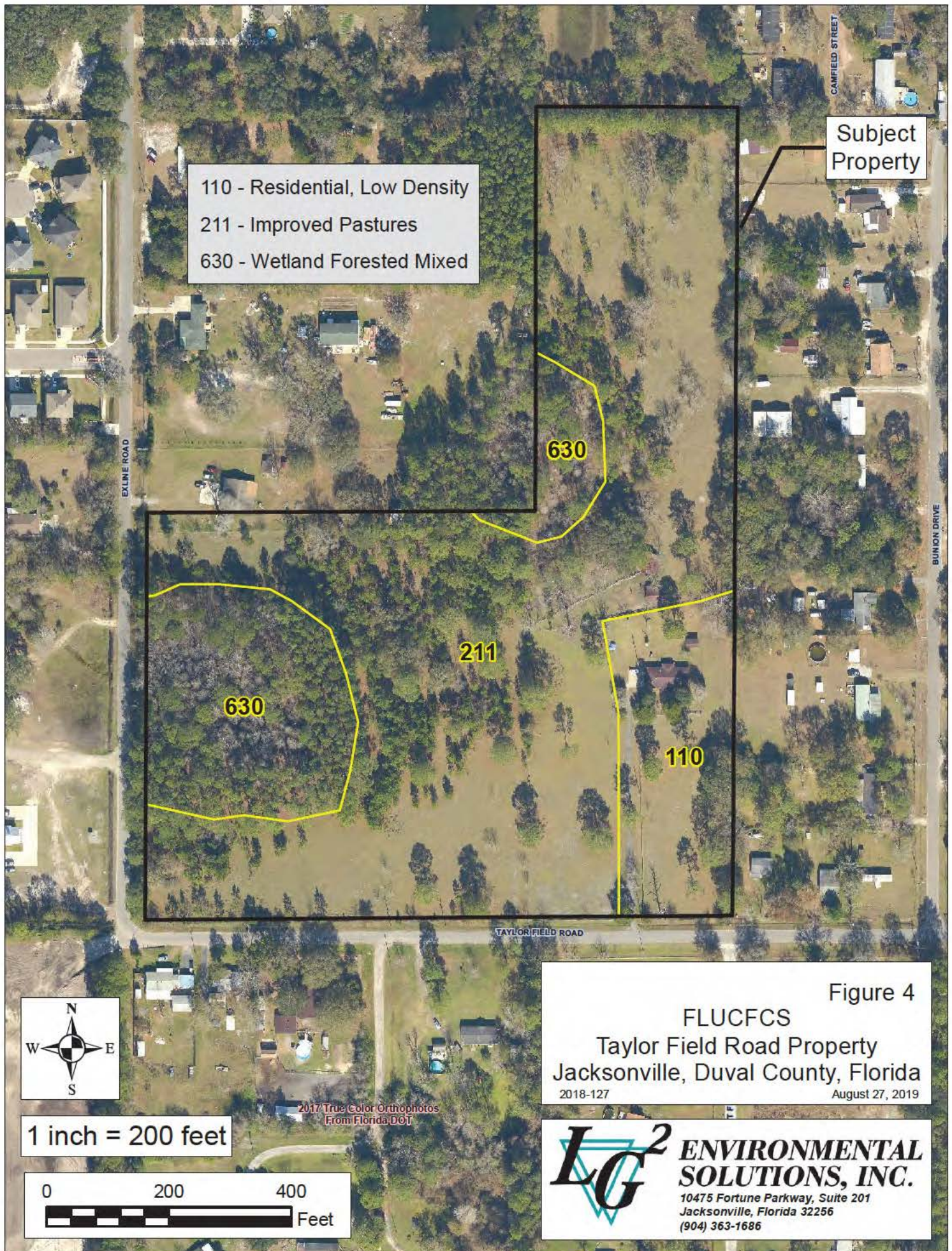
general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.







Taylorfield Subdivision

Duval County, Florida

Proposed Site Conditions

Figure 5



Proposed Wetland Impacts +/-2.23 Acres



Proposed Conversion Impact +/-0.58 Acre



Wetlands to Remain Undisturbed +/-0.80 Acres



Corps Data Point

Impact B +/-1.53 Acre

Impact A +/-0.70 Acre

